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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	Criminal Case No. CR 09-00670-JW
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION OF PARTIES
	)	FOR CONTINUANCE OF
	)	SENTENCING HEARING
	)	AND [PROPOSED] ORDER
MICHAEL DADDONA,	)	
	)	
Defendant.	)	San Jose Venue
	)	

With the agreement of the parties, and with the consent of the defendant Michael Daddona, the Court enters this order setting a new status / disposition hearing for the defendant Michael Daddona for February 22, 2010 at 1:30 p.m. The parties agree, and the Court finds and holds, as follows:

1. The defendant Michael Daddona was indicted on July 1, 2009 for Conspiracy to Commit Mail and Wire Fraud; Trafficking in Counterfeit Goods; Mail Fraud; Wire Fraud, Conspiracy to Commit Money Laundering and Money Laundering The defendant self-surrendered and was arraigned on the Indictment on September 2, 2009. His first appearance before the District Court was September 26, 2009.

- 1           2.     A status conference date was previously set for November 2, 2009 at 1:30 p.m.  
2                 before this Court, and thereafter the parties requested the re-setting of the date by  
3                 stipulation to January 25, 2010 at 1:30 p.m. To date, the Government has provided  
4                 discovery to the Defendant, but have yet to complete discovery of the report from  
5                 the Defendant's interview conducted prior to his indictment.
- 6           3.     Counsel for the Government and the Defendant have been in regular  
7                 communications regarding potential resolution of the pending charges against the  
8                 Defendant which also includes potential cooperation at the trial of co-defendant  
9                 David Foley. The parties believe that a resolution is likely, however additional  
10                time is necessary for the terms of the plea agreement to be finalized and approved  
11                by both parties.
- 12          4.     The parties jointly request a status/disposition date be set by the Court for February  
13                 22, 2010 at 1:30 p.m..
- 14          5.     The parties, including defendant Michael Daddona agree to a waiver of time for  
15                 the purposes of the Speedy Trial Act and specifically agree that the period of time  
16                 between January 25, 2010 through February 22, 2010 may be excluded in light of  
17                 the need for additional time for adequate defense preparation and resolution of the  
18                 case.

19     SO STIPULATED.

JOSEPH P. RUSSONIELLO  
United States Attorney

20     DATED: 1-21-2010

\_\_\_\_\_/S/  
21     RICHARD C. CHENG  
Assistant U.S. Attorney

22     DATED: 1-21-2010

\_\_\_\_\_/S/  
23     GEORGE WALKER, ESQ.  
Attorney for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL DADDONA,

Defendant.

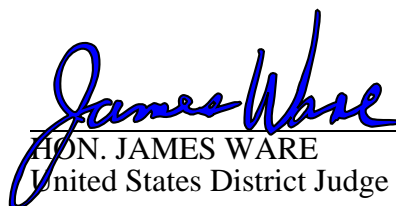
Criminal Case No. CR 09-00670-JW

ORDER CONTINUING STATUS HEARING

For the reasons stated in the parties Stipulation To Continue Status hearing and for good cause shown, the Court sets a status and disposition date of February 22, 2010, at 1:30 p.m.

The previous stipulation (Docket Item No. 22) is found as MOOT. Time is excluded from January 25, 2010 through February 22, 2010 as stipulated by the parties.

DATED: January 22, 2010

  
\_\_\_\_\_  
HON. JAMES WARE  
United States District Judge